

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

NATHANIEL SHAW,)	
)	
Plaintiff,)	
)	
v.)	CASE NO. 2:07-CV-606-ID
)	
D. T. MARSHALL, et al.,)	
)	
Defendants.)	

ORDER ON MOTION

On September 5, 2007, the plaintiff filed a motion for leave to amend (Court Doc. No. 28) in which the plaintiff seeks to (i) present additional facts in support of his claims for relief, (ii) name detective Hall, an officer with the Montgomery Police Department, and officer C. Smith and Sondra Wright, employees of the Montgomery County Detention Facility as defendants, (iii) assert additional claims for relief challenging the conditions of confinement at the Montgomery County Detention Facility. Upon consideration of the motion for leave to amend, and for good cause, it is

ORDERED that:

1. The motion for leave to amend be and is hereby GRANTED.
2. The order entered on September 5, 2007 (Court Doc. No. 24) requiring that the plaintiff file a response to the defendants special reports be and is hereby VACATED.
3. The amended and original defendants undertake a review of the subject matter of

the complaint, as amended, (a) to ascertain the facts and circumstances; (b) to consider whether any action should be taken to resolve the subject matter of the complaint; and (c) to determine whether other similar complaints should be considered together.

4. Defendants Hall, Smith and Wright shall file a written report containing the sworn statements of all persons having knowledge of the subject matter of the complaint, as amended. This report shall be filed with the court and a copy served upon the plaintiff on or before October 9, 2007. Authorization is hereby granted to the defendants to interview all witnesses, including the plaintiff. Whenever relevant, copies of medical and/or psychiatric records shall be attached to the written report. Where the plaintiff's claims or the defendants' defenses relate to or involve the application of administrative rules, regulations or guidelines, the written report shall include copies of all such applicable administrative rules, regulations or guidelines.

5. Defendants Marshall, Baylor, Coughlin, Bates and Savage shall file supplemental written reports on or before October 9, 2007 addressing the claims presented in the amendment to the complaint.

6. An answer shall be filed on or before October 9, 2007 by all defendants addressing the complaint, as amended.

7. No motion for summary judgment, motion to dismiss or any other dispositive motions addressed to the complaint, as amended, be filed by any party without permission of the court. If any pleading denominated as a motion for summary judgment, motion to

dismiss or other dispositive motion is sent to the court, the court shall not file or otherwise treat the pleading as a dispositive motion until and unless further order of the court.

The plaintiff is CAUTIONED that this court will not continue to grant him leave to amend without a showing of exceptional circumstances.

The CLERK is hereby DIRECTED to furnish a copy of this order to the plaintiff and a copy of this order, the complaint and amendment to the complaint to detective Hall, officer C. Smith and Sondra Wright. A copy of this order and the amendment to the complaint shall likewise be furnished to counsel of record for defendants Marshall, Baylor, Coughlin, Bates and Savage.

Done this 6th day of September, 2007.

/s/ Susan Russ Walker
SUSAN RUSS WALKER
UNITED STATES MAGISTRATE JUDGE